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IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

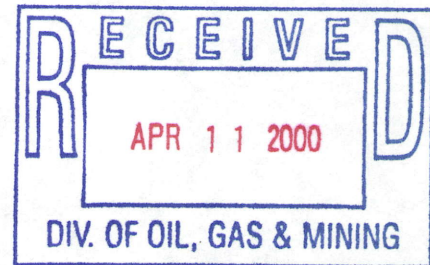
Salt Lake Field Office
2370 South 2300 West
Salt Lake City, Utah 84119

APR 10 2000

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U-77048
(UT-023)

Certified Mail # Z 270 668 496
Return Receipt Requested

Mr. Lon Thomas
Star Stone Quarries, Inc.
4040 South 300 West
Salt Lake City, Utah 84119



Dear Mr. Thomas:

On March 9, 2000, we received your Plan of Operations to mine in the Horse Creek area in T. 11 S., R. 9 E., Sections 34 and 35 (UMC 365028-365030). We have assigned this Plan of Operations the casefile number U-77048. Please refer to this number in any future correspondence regarding this Plan.

It is our opinion that you are proposing to mine common variety mineral materials (salable minerals) under the auspices of the mining law. On July 23, 1955, Public Law 167 (69 Stat. 368; 30 U.S.C. 611) was passed to prohibit further location of common variety minerals. The Act stated:

No deposit of common varieties of sand, stone, gravel pumice, pumicite, or cinders and no deposit of petrified wood shall be deemed a valuable mineral deposit within the meaning of the mining laws of the United States so as to give effective validity to any mining claim hereafter located under such mining laws.

The building stone material should be purchased under BLM's mineral materials disposal regulations at 43 CFR 3600. We have enclosed a copy of these regulations for your use. Please notify this office in writing, if you wish to purchase the material or not purchase the material.

If you still wish to mine building stone under the authority of the Mining Law of 1872, this office will have to determine the locatability of the mineral prior to further processing of the Plan of Operations. If it is determined that the mineral deposit is a common variety, then a validity determination would be conducted, and a contest complaint may be issued.

For minerals to be uncommon, and therefore locatable, they must meet the following criteria, as cited in McCarthy v. Secretary of Interior, 408 F. 2d. 907, 980 (9th Cir. 1969):

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1. There must be a comparison of the mineral deposit in question with other deposits of such minerals generally;
2. The mineral deposit in question must have a unique property;
3. The unique property must give the deposit a distinct and special value;
4. If the special value is for uses to which ordinary varieties of the mineral are put, the deposit must have some distinct and special value for such use; and
5. The distinct and special value must be reflected by the higher price which the material commands in the market place, or by reduced cost or overhead so that the profit to the claimant would be substantially more.

Please provide this office with any information that you believe will support the locatability of the subject deposit, using the above criteria as a guide. Any information you provide will be used to evaluate the American Stone # 300-302 deposit, and may be used to determine the validity of any other mining claims that you may have located for that same mineral material or for its intended use.

Also, an additional 60 days is needed to complete our common variety determination.

Please be advised that the removal of mineral materials without a mineral materials sales contract or an approved Plan of Operations will be considered a willful trespass.

Please submit all the requested information within 30 days of receipt of this letter, or we will consider your Plan to be withdrawn. If you have any questions, or require additional information, please feel free to contact Cheryl Martinez of my staff at (801) 977-4371.

Sincerely,
/s/ Michael G. Nelson

ACTING DISTRICT MANAGER

Glenn A. Carpenter
Field Office Manager

Enclosure:
copy of 3600 regulations (6pp)

cc: D. Wayne Hedberg
P.O. Box 145801
Salt Lake City, UT 84114-5801